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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,891	09/30/2003	Baiju D. Mandalia	BOC9-2003-0047 (418)	9670

7590 05/14/2008
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EXAMINER

HERNANDEZ, JOSIAH J

ART UNIT	PAPER NUMBER
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2626

MAIL DATE	DELIVERY MODE
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05/14/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/677,891	Applicant(s) MANDALIA ET AL.	
	Examiner JOSIAH HERNANDEZ	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) ☒ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413) |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) ☐ Information Disclosure Statement(s) (PTO/SB/08) | 5) ☐ Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) ☐ Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 01/22/2008 have been fully considered.

Maes et al. (US 7,003,463) discloses a system for implementing conversational protocols for the use of dialog systems distributed and managed throughout a network (abstract). The system provides the fundamental layout for a user to interact with a network of a plurality of information and the grammars needed so that the user may interact and navigate the system and its managed networks (column 2 lines 35-39 and column 4 lines 52-67).

Maes, Healey et al. (US PGPUB 2003/0225825), or Harb et al. (US 7,149,694) do not disclose specifically receiving a telephone call from a remote user; receiving speech from the telephone call that indicate the managed system; recognizing the user speech to identify the selected managed system; and loading the grammar and speech dialog for the selected managed system in order to interact with the use over the voice telephone call. Kuo et al. (US 6,418,440) teaches a customized method or algorithm for holding an interactive dialogue session between a user and a machine (abstract). The system receives a telephone call from a user on a cell phone (column 3 lines 6-10). The system receives speech with commands on particular services that correspond to different managed systems (email, sports, news, general information, etc..., and by requesting this information the user selects the managed system, column 3

lines 9-13) then the system recognizes the user speech with a series of question and answer sessions in order to identify the selected managed system (column 3 lines 13-16). The system finally continuously loads (column 3 lines 20-23) the proper current information (column 3 lines 15-20), such as grammars, dialog information, and specific information to that dialog session with the user (column 3 lines 23-30), in order to interact with the user (column 3 lines 30-33).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the managed network system of Maes with the features of receiving a call from a remote user for selecting a managed system in order to interact through a telephone call as taught by Kuo. The system that uses a managed network that stores configuration information corresponding to the managed system and uses specific grammars in order for a user to control and navigate through the network and retrieve appropriate information as taught by Maes, would have enhanced its applicability by using such a method for the specific use of telephone dialog interaction as taught by Kuo. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention (KSR International Co. v. Teleflex Inc., 550 U.S.-, 82 USPQ2d 1385, 2007).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 5-7, 11, 12, and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maes et al. (US 7,003,463) in view Kuo et al. (US 6,418,440).

As to claims 1, 6, 7, and 12, Maes discloses a method of administering systems (Maes describes administering the system by providing automatic and coordinate-sharing. of conversational resources, see column 2 lines 35-37) in a managed network (Maes describes using network-connected servers and devices, and their corresponding applications, the servers and applications manage the network by handling, directing and governing the networks, see column 2 lines 37 and 38) comprising: storing configuration information corresponding to at least one managed system (Maes teaches a method for using conversational network protocols in order for a user to communicate to a network and all the networks connected to it through voice command, see

column 4 lines 52-67). To provide conversational coordination between the network devices they share information of which is kept in a protocol stack and the system interacts with the protocol stack (it is inherent that if the protocol information is constantly kept in a protocol stack for allowing the system to have access to it, it would have to be stored somewhere in the system in order to call to it every time it needs it, Column 5 lines 35-40). Using a grammar and a speech dialog for each managed system using the configuration information, (Maes teaches automatically generating a synchronized communication between network devices and user, see column 4 lines 55-67). The network protocols establish a dialog manager, see column 4 lines 64-67) and grammar information (see column 8 lines 1-5) in order to exchange information between devices and user (see column 5 lines 15-28).

Maes does not disclose specifically receiving a telephone call from a remote user; receiving speech from the telephone call that indicate the managed system; recognizing the user speech to identify the selected managed system; and loading the grammar and speech dialog for the selected managed system in order to interact with the user over the voice telephone call. Kuo et al. (US 6,418,440) teaches a customized method or algorithm for holding an interactive dialogue session between a user and a machine (abstract). The system receives a telephone call from a user on a cell phone (column 3 lines 6-10). The system receives speech with commands on particular services that correspond to different managed systems (email, sports, news, general information, etc..., and

by requesting this information the user selects the managed system, column 3 lines 9-13) then the system recognizes the user speech with a series of question and answer sessions in order to identify the selected managed system (column 3 lines 13-16). The system finally continuously loads (column 3 lines 20-23) the proper current information (column 3 lines 15-20), such as grammars, dialog information, and specific information to that dialog session with the user (column 3 lines 23-30), in order to interact with the user (column 3 lines 30-33).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the managed network system of Maes with the features of receiving a call from a remote user for selecting a managed system in order to interact through a telephone call as taught by Kuo. The system that uses a managed network that stores configuration information corresponding to the managed system and uses specific grammars in order for a user to control and navigate through the network and retrieve appropriate information as taught by Maes, would have enhanced its applicability by using such a method for the specific use of telephone dialog interaction as taught by Kuo. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention (KSR International Co. v. Teleflex Inc., 550 U.S.-, 82 USPQ2d 1385, 2007).

As to claims 5, 11, and 16, Maes discloses a method of administering systems (Maes describes administering the system by providing automatic-coordinating sharing of conversational resources, see column 2 lines 35-37) in a managed network (Maes describes using network-connected servers and devices, and their corresponding applications, the servers and applications manage the network by handling, directing and governing the networks, see column 2 lines 37 and 38) comprising: storing a system speech profile for each managed system within a managed network (Maes teaches a method for using conversational network protocols in order for a user to communicate to a network and all the networks connected to it through voice command, see column 4 lines 52-67). To provide conversational coordination between the network devices they share information, that is stored in each network and its devices, that pertains to conversational capabilities and requirements (it is inherent that if the protocol information is constantly kept in a protocol stack for allowing the system to have access to it, it would have to be stored somewhere in the system in order to call to it every time it needs it, Column 5 lines 35-40), some examples of configuration information of each system that is used for the interaction of the networks and the user is TTS English, any text, speech recognition, and grammar, see column 8 lines 1-5); connecting a managed system to the managed network; detecting the managed system (this is done by the use of dialog managers, which manage a system or single network and performs task management and controls and execute conversational services between

networks by the use of protocols, see column 4 lines 1-8); loading the system speech profile for the detected managed system (Maes teaches that the networks automatically synchronize and the dialog manager allows for the sharing, loading, of information, see column 4 lines 60-67) including grammar information (see column 8 lines 1-5); and interacting with the user using the grammar and speech dialog (doing this allows for interaction of information passed from the user and the networks, see column 8 lines 10-27); The system can be accessed via telephone (speech recognition can be performed over a conventional telephone line, see column 3 lines 1-10). With the call the user can request a conversational service (see column 2 lines 56-57) executed by a network and its device (see column 2 lines 35-38).

Maes does not disclose specifically receiving a telephone call from a remote user; receiving speech from the telephone call that indicate the managed system; recognizing the user speech to identify the selected managed system; and loading the grammar and speech dialog for the selected managed system in order to interact with the use over the voice telephone call. Kuo et al. (US 6,418,440) teaches a customized method or algorithm for holding an interactive dialogue session between a user and a machine (abstract). The system receives a telephone call from a user on a cell phone (column 3 lines 6-10). The system receives speech with commands on particular services that correspond to different managed systems (email, sports, news, general information, etc..., and by requesting this information the user selects the managed system, column 3

lines 9-13) then the system recognizes the user speech with a series of question and answer sessions in order to identify the selected managed system (column 3 lines 13-16). The system finally continuously loads (column 3 lines 20-23) the proper current information (column 3 lines 15-20), such as grammars, dialog information, and specific information to that dialog session with the user (column 3 lines 23-30), in order to interact with the user (column 3 lines 30-33).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the managed network system of Maes with the features of receiving a call from a remote user for selecting a managed system in order to interact through a telephone call as taught by Kuo. The system that uses a managed network that stores configuration information corresponding to the managed system and uses specific grammars in order for a user to control and navigate through the network and retrieve appropriate information as taught by Maes, would have enhanced its applicability by using such a method for the specific use of telephone dialog interaction as taught by Kuo. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention (KSR International Co. v. Teleflex Inc., 550 U.S.-, 82 USPQ2d 1385, 2007).

As to claim 17, Maes discloses the method of claim 1, wherein the stored configuration information for each managed system comprises voice print information associated with one or more users permitted to access the managed system, the method further comprising: prior to the step of loading, determining whether the user is permitted to access the selected system based on a comparison of the received user speech with the voice print information associated with the selected system (column 11 lines 1-22).

As to claim 18, Maes discloses the method of claim 5, wherein the speech system profile for each managed system comprises voice print information associated with one or more users permitted to access the managed system, and wherein access to the managed system is provided to the user only if the user speech inputs match the voice print information in the system profile (column 11 lines 1-22).

As to claim 19, Maes discloses the method of claim 6, wherein the speech system profile for each managed system comprises voice print information associated with one or more users permitted to access the managed system, and wherein the autonomic agent is configured to respond to the user only if the user speech inputs match the voice print information in the system profile (column 11 lines 1-22).

3. Claims 2-4, 8-10, and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maes et al. (US 7,003,463) in view Kuo et al. (US 6,418,440) as applied to claim 1 and in further view of Healey et al. (US PG PUB 2003/0225825).

As to claims 2, 8, and 13, Maes discloses receiving user speech specifying an administrative function to be performed on the selected managed system (Maes' invention allows for tasks to be performed between networks through the use of servers and devices. The server side functions use speech recognition to recognize the users commands through a telephone call, see column 3 lines 1-10); and providing the administrative command to the selected managed system (Maes teaches that the dialog manager performs task management and controls and coordinates the execution of a conversational service, so the task can go specifically to the proper network, see column 4 lines 30-40).

Maes does not specifically disclose converting the speech to a textual representation using the grammar then matching the textual representation with an administrative command corresponding to the selected managed system. Healey teaches using the multi-modal system in order to convert speech to text representation using grammar (paragraph [0084]).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the managed network system of Maes with the feature of the textual representation as disclosed by Healey.

Doing so would have allowed representing grammar for accurate speech recognition and the ability to use TTS systems for prompting a user without having to code the system with complex programming language (Healey, paragraph [0008]).

As to claims 3, 9, and 14, Maes discloses formatting the administrative command using a system management protocol corresponding to the selected managed system to generate the administrative command (Maes discloses formatting the administrative commands by providing automatic coordinated sharing of conversational resources between networks, so that a task is formatted to execute over various networks, see column 2 lines 35-38). This formatting is done with the use of network protocol that corresponds to a network (see column 2 lines 59-60). The protocols are then used for providing information to the dialog manager in order to generate a shared and automatic interaction of commands between the networks (see column 2 lines 60-67).

As to claims 4, 10, and 15, Maes discloses selecting a set of administrative commands corresponding to the selected managed system (this is done by a dialog manager that performs task management and selects the task and coordination to which network it will be performed, see column 4 lines 30-35), from which to match the grammar (conversational information is exchanged between networks in order to react interact between the networks and the user.

This information or configuration information that is used for speech recognition is grammars, see column 8 lines 1-5).

Maes does not specifically disclose converting the speech to a textual representation using the grammar then matching the textual representation with an administrative command corresponding to the selected managed system. Healey teaches using the multi-modal system in order to convert speech to text representation using grammar (paragraph [0084]).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the managed network system of Maes with the feature of the textual representation as disclosed by Healey. Doing so would have allowed representing grammar for accurate speech recognition and the ability to use TTS systems for prompting a user without having to code the system with complex programming language (Healey, paragraph [0008]).

Conclusion

Any inquiry concerning this communication should be directed to Josiah Hernandez whose telephone number is 571-270-1646. The examiner can normally be reached from 7:30 pm to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (571) 272-7843. The

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fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JH

/David R Hudspeth/

Supervisory Patent Examiner, Art Unit 2626